



May 7, 1997

Peter N. Fowler
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Office of Legislative and International Affairs
U.S. Patent and Trademark Office
Box 4
Washington, D.C. 20231
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Dear Mr. Fowler:

On behalf of the Council of University of Wisconsin Libraries (CUWL), I am providing the attached Resolution concerning the draft CONFU guidelines.

Sincerely,

John Berens
Chair of CUWL

Attachment

c: David J. Ward, Senior Vice President, UW System Administration
Members of CUWL (via e-mail)

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RESOLUTION

The Council of University of Wisconsin Libraries (CUWL) has resolved ~~not to endorse~~ the CONFU guidelines for multimedia production, distance education, and fair use of digital images.

Further, CUWL specifically ~~opposes~~ endorsement of the CONFU guidelines by congress of any of its members or committees.

Although the CONFU guidelines may prove to be useful in fair use decision-making, the Council of University of Wisconsin Libraries believes that the guidelines do not represent a genuine consensus interpretation of fair use as applied to educational uses of new technologies.

Among other concerns, CUWL noted fundamental objections to specific aspects of the CONFU guidelines, such as:

1. Some statements in the guidelines contradict the plain language of the U.S. Copyright Law.
2. The Multimedia Guidelines would unnecessarily restrict the application of fair use to faculty teaching activities and student learning opportunities.
3. The Digital Image Guidelines would impose unreasonable burdens on the management of Archives and library image collections.
4. The non-commercial use of copyright-protected materials in Distance Education may be fully consistent with section 110 and fair use in copyright law.

Adopted by the Council of University of Wisconsin Libraries
April 25, 1997